

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

The Examiner rejected previously submitted claim 57 under 35 U.S.C. 102 as being anticipated by Karl EP '524. The remaining claims have been rejected over the Karl reference in further view of either Spatz '659 or Hand '009. As to how these rejections apply to the claims as amended herein, they are respectfully traversed.

The Examiner's attention is drawn to Fig. 2 of the Karl '524 document and compare same to Fig. 2 of the instant application. On page 10 of the Karl document, it is set forth that "On the tapered front section 1 of the handle 2, a plastic tubular piece 3 is attached which is additionally closed on the end side in the embodiment as shown in Figures 1 to 6 and on which tentacles 4 are molded which project radially to the outside.". Fig. 2 of the Karl and the disclosure on page 10 does not correspond to the structure set forth in amended independent claim 57. Clearly, the holding portion 1 of Karl has a core extending into the applicator portion 3 in the direction of its longitudinal extent. Claim 57 has been extensively amended to distinguish over the Karl reference. Claim 57 now sets forth that the holding portion has a holding part and whereby the applicator portion is fixed in a direction of longitudinal extent of the applicator by means of a connecting part. Claim 57 further sets forth that the holding portion extends in the direction of longitudinal extent only till the end of the connecting part. These limitations cannot be found in the Karl reference.

The secondary references to Spatz and Hand do not cure the deficiencies noted above with regard to the primary reference.

Spatz does not show that the holding portion extends in the direction of the longitudinal extent only till the end of the connecting part as now claimed in independent claim 57. The Hand reference deals with a cosmetic applicator. The housing portion 6 may be formed of any liquid impervious material such as metal or plastic composition (see column 2, lines 10-12). The Hand reference does not suggest the applicator as claimed.

In light of the foregoing, it is respectfully submitted that all of the claims as pending patentably define over the art of record and the early issuance of a formal notice of allowance is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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